

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 4:17CR3121
)
Plaintiff,)
)
v.) ORDER
)
SAMUEL TURNER,)
)
Defendant.)
)

IT IS ORDERED that Defendant's motion in limine (Filing No. [57](#)) is granted in part, denied in part, and otherwise held in abeyance, as follows:

- (1) The motion is denied with respect to the cooperating witness who is expected to testify that beginning in about September of 2014, she knew Defendant to be in possession of pound quantities of methamphetamine, per week, which he kept in a safe in his car, for the reason that such testimony indicates Defendant engaged in a common scheme or plan to distribute methamphetamine from his car, and is relevant to material issues in this case considering the expected testimony of policy officers that Defendant was observed doing something in the trunk of one of his cars before contacting officers just prior to the finding of the methamphetamine and his arrest;
- (2) Except with respect to the expected testimony of the cooperating witness described in paragraph 1 above, the government shall not mention during voir dire or opening statements, and shall not introduce during its case in chief without first making a proper showing outside the presence of the jury and obtaining the court's approval, any of the other evidence described in its notice of intent to introduce evidence of subsequent similar acts and/or Rule 404(b) evidence (Filing No. [56](#)); and

(3) The court reserves ruling on the motion with respect to the government's use of any the evidence in rebuttal, the admissibility of which may depend on the defense presented.

DATED this 14th day of February, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge